

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-30055-MAP
)	
KACEY JONES,)	
Defendant.)	
)	

THE GOVERNMENT'S MOTION FOR AN ORDER OF EXCLUDABLE DELAY
(Assented to)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves for an order of excludable delay under the Speedy Trial Act, 18 U.S.C. §3161. In support of this motion, the government states that on December 8, 2005, Attorney Mark Mastroianni, counsel for Defendant, notified the Court of his intentions of filing a motion concerning a psychiatric evaluation of the Defendant. In addition, Attorney Mastroianni has not yet been successful in reviewing all of the government's evidence with the Defendant because of restrictions placed upon the Defendant in prison. The Defendant is presently serving a sentence at the Souza Baranowski Correctional Center in Shirley, Massachusetts.

The Defendant has assented to this motion to exclude the time from December 8, 2005 until January 30, 2006. It is in the best interests of the Defendant, the government, and the public, to exclude the time from December 8, 2005 until January 30, 2006, from the period within which the trial of this case must commence under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

Dated: December 9, 2005

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
December 9, 2005

I, Paul Hart Smyth, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by mail to Attorney Mark Mastroianni, 95 State Street, Springfield, MA.

/s/ Paul Hart Smyth
Paul Hart Smyth
Assistant U.S. Attorney